



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE RD  
ARLINGTON, VA 22204

█  
Docket No. 9175-25  
Ref: Signature Date

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Dear █

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552.

Your application was not filed in a timely manner. A three-member panel of the Board, sitting in executive session, considered your application on 18 December 2025. In your application, you requested to have your disability discharge with severance pay changed to a medical disability retirement. You contend it would be in the interest of justice to excuse your failure to submit your application in a timely manner because the Department of Veterans Affairs (VA) only recently granted you service connection for your knee condition, which was found to have been a Clear and Unmistakable Error (CUE). Specifically, you argued that you only recently learned of disability conditions that were not properly addressed and that your separation did not follow disability evaluation procedures.

After careful and conscientious consideration, the Board determined this was an insufficient reason to find it in the interest of justice to excuse your failure to submit your application in a timely manner which was over 3 years after your discharge. Thus, the Board was not willing to waive the three-year statute of limitations since the date of discovery, and determined your request should be denied due to the length of time since your discharge due to physical disability with severance pay in August 2004.

In the absence of sufficient new evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

Sincerely,

1/5/2026

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